HE SAYS HE CAN ACCOUNT FOR THE DECISION OF THE COURT ONLY ON THE THEORY THAT

IT FAILED TO UNDERSTAND THE INTRICACIES AND COMPLICA-

Joseph J. Little, president of the Board of Mucation, yesterday sent to The Tribune the following letter in relation to the decision of Justice Hatch, reflecting upon his action as receiver for the Worthington company;

receiver for the Worthington company:

To the Editor of The Tribune.

Sir. I appreciate your courtesy in sending a respect to me last evening, offering me an opportunity to make a statement regarding the decision of Judge Hatch in the case of heynoids against the Etna Life insurance Company, Joseph J. Little as Etna Life insurance Company, Joseph J. Little as receiver, and others, and, as you intended printing receiver, and others, and, as you intended printing the same, I now accept your invitation to reply. Last evening I had not seen or read that decision. I have seen extracts from it for the first cision. I have seen extracts from it for the first time this morning in The Tribune. I can only accume this morning in The Tribune. I can only account for the decision and the language of the court upon the theory that it has falled to understand the intricacies and complications involved in the case.

stand the intricacles and complications involved in the case.

It had already been twice tried, and had once before been before the Appellate Division on ap-peal from a judgment, and in each case was de-cided in my favor. The first trial was before Mr. Justice Cullen, and in a decision he upheld my justice Cullen, and "the basis of the receiver's imy) claim was not under a legal trie to the property, but in hostility to it."

This claim he made to the insurance company during the life of Worth-ington, and after his death compromised with his widow, and obtained an assignment of her right to the policies."

THE PLAINTIFF APPEALED.

From the judgment of Mr. Justice Cullen the plaintiff appealed to the Appellate Division, and Mr. the merits, my right to the moneys under the

I quote the language of Justice Hatch, taken

Me for set good title to the moneys, as against the plaintiff.

On account of an error in entering judgment the appellate Division ordered a new trial. This new that was had before Mr. Justice Gaynor at Special form upon the same record as had been before the appellate Division, and that learned Justice again speld my right to the proceeds of the policies in speld my right to the proceeds of the policies in speld my right to the proceeds of the policies in the company has failed upon such issue. I find there is no fraud. Again, Justice Gaynor said. That the company has failed upon such issue, I find there is no fraud. Again, Justice Gaynor said what the issue of fraud and deception raised between the defendant insurance company has not been justified by evidence. In his findings, upon request, he refused to find that 'Joseph J. Little, receiver, did not act in good faith in asserting his diam to these moneys."

In his 'Conclusions of Law' he refused to find the claim made by Little, receiver, based upon the possession of the policies and their assignment to him from Margaret Worthington was fraudulent as to the plaintiff. He rendered judgment in my favor against the plaintiff.

On precisely the same record as that decided by Justices Cullen and Gaynor, and by the same Appellate Division, it now gives a decision entirely at variance with the first.

A CREATURE OF THE COURT.

A CREATURE OF THE COURT.

as receiver, was simply a creature of the As such I claimed the proceeds for the ereditors of the Worthington Company. It so hapthat Mesars. Bulkley, Dunton & Co., a credof Richard Worthington, in whose interest holds, receiver, had been appointed, was also the largest creditor of the Worthington Company, and it was at the solicitation of this creditor that I accepted the receivership. It was therefore, natural that I should frequently consult them regarding the affairs of the receivership. I did so in this case, and before applying to the Court for permission to compromise received a letter, of which the following is a copy:

to that time, as Mr. Justice Gaynor found on the last trial. 'the plaintiff never gave any notice in writing or otherwise to either the defendant Ena Lafe Insurance Company or any of the other defendants, nor did any of said defendants ever have any notice or knowledge of plaintiffs claim to the policies of insurance, or to the proceeds and avails thereof until the bringing of this action. Thus he set at rest the charge that months prior to the commencement of this action we were conspiring with other parties to defraud the plaintiff.

ONE OTHER FINDING. Let me add just one other finding made by Justhe Gaynor on the last trial, viz : "That the claim to said policies and to the proceeds thereof made the Worthington Company: was an open and inde De Worthington Company was an open and mos-pendent one, based on the grounds stated in the Mid notice to the said Æna Life Insurance Com-pany, and in the maintenance of his legal rights at receiver, and in the complaint in his action spans said Æna Life Insurance Company, and in Lamwer made in the interpleader action brought by sid insurance company, and so made and therefore consistently maintained in hostility to all other claims on the part of any other person or persons.

other claims on the part of any other person of persons.

Let me say, further, that the Appellate Division in the decision reported does not refer to any of the findings in favor of myself thus quoted.

I desire also to add that, having received this money by order of the Court, I could not without personal hability pay out any of it without the authority of an order of the Supreme Court, and the Court on three different occasions—first, before Mr. Justice Cullen; second, before this Appellate Division, and, third, before Mr. Justice Gaynor—has declined emphatically to make any order authorizing the payment of any part of the proceeds to any other person, and has affirmed my right as receiver to the same. All the other policies, except one, have been without objection paid to me, and the proceeds distributed.

the Court of Appeals.

My legal advisers in this case were James R.
Marvis, since deceased, an old and honored practitioner at the bar, and James M. Fisk, whose office is at No. 160 Nassauss.

Olin, esq. was the referee appointed on the final accounting made by ma Stephen H. Olin, esq. was the referee appointed by the Court on the final accounting made by me as receiver, and in his report to the Court he asys. The said receiver has devoted a great deal of time to the business of said receivership, and his work has been very laborious, and the affairs of said receivership have been conducted with great business skill, and his services have been very efficient in the interest of creditors."

Let me say as a final word that I had no per-

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sonal interest other than as a receiver in obtaining the proceeds of these policies, which, when received. ADMIRAL KAUTZ AT SAMOA were applicable for distribution among the creditors.

Itors.

I regret to have replied at such length, but, under the circumstances, do not think less would have fully explained.

JOSEPH J. LITTLE.

New-York, No. 2 to 20 Astor Place, April 7, 1899

William C. Davis, the lawyer, at No. 120 ington, yesterday sent to The Tribune a letter referring to the previous opinion written by Justice Hatch in 1896. Mr. Davis said to a Tribune reporter that the first decision of the Appellate Court was not unfavorable to either believed that the later opinion of the Court as to fraud in the steps taken to vest in Mr. Little the title to Worthington's insurance policies was | peatedly, and sailors have been landed in Apia based upon a misunderstanding which would be cleared away when the case was argued before the Court of Appeals.

GERRY SOCIETY INVESTIGATION.

NO ONE PRESENT BEFORE THE COMMIT-TEE TO MAKE CHARGES OF MISMAN.

AGEMENT AGAINST THE S. P. C. C. Hampden Robb, a special committee appointed by resolution of the Board of Directors of the New-York Society for the Prevention of Cruelty to Chilcharges of extravagance and bad management made in the newspapers against the society, and April 11, held a meeting in the society's building, afternoon for the purpose of hearing testimony. Gerry was on hand also, but, for a part of the the investigating committee.

sent up their cards to Commodore Gerry were invited from the general office, on the ground floor, to the room in which the committee was sitting. The cards had been sent up three-quarters of an hour before. Andrew H. Green was presiding, al-though Frederick D. Tappen sat alone at the side of the long table in the room and Messrs, Green and Robb were together by the window.

Well, gentlemen, what do you want?" was asked by Mr. Green after greetings were ex-

We would like to get whatever you wish to make public about the investigation of the committee," was the reply.

Well, we are ready to hear whatever you want to say," said Mr. Robb.
"We came to get, if we could, the result of the

investigation," suggested one of the reporters. Well, if you have any testimony to offer we'll hear it," said Mr. Robb again; "we haven't succeeded in getting any other testimony.

"Yes, we've been sitting here, and my time, at least, is valuable," said Mr. Tappen; "nobody has appeared here to make any charges."

After explanations were made that the reporters had no information at all to give to the commit-tee Mr. Green told the occasion of the meeting of the committee. "This committee," said he, "was appointed by the Board of Directors of the society at its meeting on March 28, at which twelve members were present, to investigate all the charges that have been made against the society.

"We have invited some persons to appear and tell what they know. We also invited some or-ganizations of a somewhat similar character to This proplemation was taken to Managa and that we might compare them with the figures of read to him by Flag Lieutenant Miller. It was give us statements showing their expenditures, so

the State Board of Charities, and Mr. Haines, went to the western portion of the municipality, president of the Society for the Prevention of and it seemed as if they were about to obey the Cruelty to Animals. If there had been anybody else to invite, or if there is now anybody who would like to say anything, we would be glad to invite them. These two were the only persons who have made any charges that we know of excepting the general charges made in the newspapers. They have not appeared here in answer to our invitation, and we have not heard any testimony. "I understood that Mr. Haines intended to be present, said one of the reporters.

"Well, we want bim," said Mr. Robb; "bring him here if you can.

"Have there been any written charges preferred to this committee." was asked.

"Nothing, except the charges in the newspapers," replied one of the committee.

"Have any of the other organizations replied to your request for statements?"

"We have one statement here from the Catholic Protectory," replied Mr. Green, "and the Charity Organization Society has written us a general letter, not giving details.

"Did not the New-York Hospital send us over a statement?" asked one of the other members of the committee.

"I think they have one on the way," said Mr.

"ROSE, German Consul to obey the commands to return to their homes. The German Consul, however, issued a counter-procla-mation in the Samoan language, which was distributed among the Matafans. The proclamation in the Samoan language, which was distributed among the Matafans. The proclamation reads as follows.

Notice to All Samoans.

By the proclamation of the Admiral of the United States dated March 11 was made known that the three consuls of the signatory Powers of the Berlin Treaty, as well as the three commanders of men-of-war, had been unanimous to no more recognize the Provisional Government of Samoa until I have received contrary instructions from my Government.

They have one statement of the committee.

"I think they have one on the way," said Mr.

nmittee.
I think they have one on the way," said Mr.

Green.

"Perhaps the time required to get up the statements has prevented some of the organizations from reporting," was suggested. "How long ago was the request sent out."

"About a week ago," replied Mr. Green.

"Were the charges made by Mr. Haines, of the Prevention of Cruelty to Animals Society, in regard to the management of this society," was asked. "I thought that Mr. Hainess charges referred personally to Mr. Gerry in relation to another matter."

"Well, Mr. Gerry is a considerable part of this society," replied Mr. Green, "and anything said

to the Board
Mr. Green suggested that perhaps the letter he sent to Mr. Haines might be interesting reading in the newspapers, but Mr. Tappen thought it would be injudicious to make it public at this time and the letter was withheld.

The committee then suggested that the reporters withdraw, and the members continued in consultation for some time. It is not probable that another meeting will be held.

TRANSATLANTIC TRAVELLERS.

Among the saloon passengers who will sall for Liverpool on the Cunard Line steamship Lucania to-day are Mr. and Mrs. George E. Armstrons. C. Atkin, Mr. and Mrs. James A. Burden, jr. Mr. and Mrs. J. R. Bartlett, Dr. and Mrs. R. Mr. and Mrs. J. R. Bartiett, 191 and Mrs. Boggs, Alexander Bull, R. G. Bell, Mr. and Mrs. George B. Brown, George Brace Colt. of London, Baron and Baroness Andre Caccamisi, of Paris; Mr. and Mrs. George Christall, Mr. and Mrs. H. Blanchard Dominick, Charles Eddison, W. Fairth, of Denver; Charles S. Gauthrop, Professor P. Geddes, of England; Mr. and Mrs. A. W. Grant, L. Adolfo Garcia, of Guayaquil, Ecuador, Mr. and Mrs. Clarence M. Hyde, Mr. and Mrs. A. B. Hep-H. Holmes, of Boston, the Rev. Dr. Charles F. Kelly, Frederick P. Leay, British Consul at Colon, Colombia, Mr. and Mrs. Newbold Morris, Mr. and Mrs. Herbert R. Matthews, Dr. A. C. Maclean, Dr. J. Owen, S. D. Pringle, C. W. N.

Maclean, Dr. J. Owen, S. D. Pringle, C. W. N. Rolfe, Edward Robinson, Miss Florence Robinson, Horatio W. Thayer, Barton Willing and Mrs. Edward S. Willing, of Philadelphia: Francis A. Watson and W. S. Williamson, of Toronto.

The French liner La Champague, sailing for Havre, has among its cabin pasengers Mr. and Mrs. Henri Albers, Captain José Arial Romes, Joseph Brisset, Narciso Blanco, Mr. and Mrs. Emile Branschi, General F. J. Clunie, Mr. and Mrs. John Cuni, Raiph Dreyfus, Jean Davy, Mr. and Mrs. Paul Flament, Arthur F. Hendricks, José A. Leon, Jerome Morello, Countess Spottiswood Mackin, Robert L. Nisbet, L. H. Rust, Mr. and Mrs. Joseph Rofix, Manuel Soto, Secretary Thiebaut, of the French Embassy, Washington; Raphael Welliand H. Williams.

ench Embasy (Williams, steamship Patria, of the Hamburg-American steamship Patria, of the Hamburg-American bound for Hamburg, has on her passenger bound for Hamburg, has on her passenger The steamship Patria, of the Hamburg-American Line, bound for Hamburg, has on her passenger list John W. Baird, the Rev. Dr. and Mrs. Rierrmann, Anton Happe, Rolf Keim, Oscar von Kehler, Joseph Lang, Dr. Thomas McCrae, Charles Man, J. Seligman, Mr. and Mrs. Carl Wickersheim and Mr. and Mrs. C. F. A. Zich,

The steamship Amsterdam, for Rotterdam, carries Mr. and Mrs. G. Gambier, of Montreal, Mr. and Mrs. J. Frischkneet, of Chicago; Mrs. D. H. Lippitt, J. C. Neuner, Mr. and Mrs. George Ochs, A. N. Ryerson, D. C. Schoovel and Floris A. Van Hall, of Baltimore.

ROBBED IN FRONT OF THE POSTOFFICE. For a few minutes last evening there was great

Italian with a wooden leg robbing a man. The man was caught and taken to the City Hall police station, where Sergeant Patrick Oates had him searched, with astounding results. In his pockets were a buildog revolver fully load-

In his pockets were a buildog revolver fully loaded, and a long-bladed knife. Twenty-four dollars was found in a hole in his wooden leg, and he also had \$15 in bills.

Edward Joseph Handy, who lives at No. 315 East Thirty-ninth-st, was passing in front of the south the send of the General Postoffice. He had his umbrella end of the General Postoffice. He had his umbrella up, when he suddenly felt a hand thrust into his trousers pocket. Before he recovered from surprise trousers pocket. Before he recovered from surprises to the historian surprise his historian surprise his name of No. 9 Cumberlandst. Hrooklyn, caught the fleeing man and turned him over to Policeman George L. Sullivan.

The man gave his name as Antonio Santorelli, an Italian, twenty-three years old, and his address as No. 81 Mulberry-st.

STORY OF THE RECENT FIGHTING AROUND APIA.

Broadway, who was attorney for Mrs. Worth- GERMAN CONSUL'S COUNTER-PROCLAMA-TION HELD RESPONSIBLE FOR ALL THE TROUBLE-THE ADMIRAL'S

Mr. Little or to Mrs. Worthington, and that he There have been lively times in Samoa during the last few days. The United States and British warships have shelled Mataafa's forces reto protect property. Numerous casualties have resulted on both sides. Admiral Kautz and the commanders of the British ships are anxiously awaiting advices from their governments, and

in the mean time the shelling proceeds daily. delphia he spent two days in making inquiries and then called a meeting of all the consuls and the senior officers of all the warships in the harbor. As a result of the meeting this proclamation was issued by the American Admiral:

ADMIRAL KAUTZ'S PROCLAMATION.

A PROCLAMATION.

To His Highness Mataafa, and the thirteen chiefs associated with him in particular, and to all the people of Samoa, both foreign and native,

in general:
First-Whereas, at a meeting held this day on
board the United States flagship Philadelphia,
at anchor at Apia, at which were present the consular representatives of the signatory Powers of the Berlin Treaty of 1880 and the three senior naval officers of the same Powers, it was agreed that the so-called Provisional Government of the same powers are the so-called Provisional Government of the same powers. was agreed that the so-called Provisional Government under High Chief Mataafa and thirteen other chiefs can have no legal status under the Berlin Treaty, and can, therefore, not be recognized by the consular and naval representatives, it is hereby ordered that the High Chief and the thirteen other chiefs go quietly to their homes and obey the laws of Samoa and respect the Berlin Treaty.

Second—It is further ordered that all the chiefs and their people who have been ejected

chiefs and their people who have been ejecter from their homes and who have been sent to different points in the Samoan Islands return quietly to their aforesaid homes without mo

ail who disregard it or the rights of quiet and peaceably disposed people.

Fourth—The Treaty of Berlin recognizes the Chief Justice of Samoa as the highest officer under the existing Government, and as long as he holds his office his authority must be re-spected and the decree of the Court must be carried out. carried out.
Fifth-Trusting that all residents of Samea

will have the good sense to observe the requirements of this proclamation, which is issued in the interests of peace, with an earnest regard for the rights of all, both foreign and native, and so there may be no occasion to use power to enforce it, I am, respectfully.

ALRERT KALTZ ALBERT KAUTZ.

ALBERT KAUTZ.

Rear-Admiral, United States Navy, Commanderin-Chief United States Naval Force on Pacific Station.

This proclamation was taken to Mataafa and

received in silence, and no answer was made "The persons we invited were Mr. Stewart, of Mataafa and his chiefs quietly left Apia and went to the western portion of the municipality.

chiefs.

I therefore make known to you that this proclamation is quite false. I, the German Consul-General, continue to recognize the Provisional Government of Samoa until I have received contrary instructions from my Government.

ROSE, German Consul-General.

The immediate result of this act was that the rebels turned back and prepared for war, declaring that they would not obey the Admiral's order, and would prevent any food supplies be-The next day Apia was surrounded by Mared personally to Mr. Gerry in relation to another matter.

"Well Mr. Gerry is a considerable part of this boot him refers in great measure to the society." "Figure 1 invitation to persons who have nything to say to come and say it?" was asked. "Well we don't see how we can," replied Mr. "Well we don't see how we can," replied Mr. "Well we don't see how we can," replied Mr. "We were instructed to report to the Board it is next meeting, and that will be on April 11. "What will you have to report—progress."

"Yes, I guess it will be progress, and mighty little that," interjected Mr. Robb with a hearty laugh. Previous to this Mr. Tappen had indicated that here had been some sort of a report in the minds of the committee, for when the giving of the relation to the press was mentioned he at turned to his colleagues and remarked that the thought it best to withhold the committee's rejected to the Board. Mr. Green suggested that perhaps the letter he sent to Mr. Haines might be interesting reading in the newspapers, but Mr. Tappen thought it was and bound. On Wednesday morning notice was and bound. On Wednesday morning notice was and bound. On Wednesday morning notice was and beinguidious to make it public at this taafa's warriors. Forces from the Philadelphia

and bound. On Wednesday morning notice was spread that if no answer was received from Mataafa by 1 o'clock, the Philadelphia would fire one of her large guns, followed by three oneminute guns. Mataafa sent no answer,

He and his chiefs were buoyed up by the German consul's proclamation and vague talk that Germany would support them and was the greatest nation on earth, invincible in war, and that Great Britain and America would never dare to engage Germany in conflict.

Signal guns were fired, and the foreign population of British and Americans were taken on board their respective warships. Other nationalities went on hoard sailing vessels in the harbor. One hundred and seventy-five men and officers were landed, and, at Admiral Kautz's request, Captain Sturdee, of the Porpoise, assumed command of the combined forces on shore, Fing Lieutenant Miller, of the Philadel-Surgeons were landed from both ships, and

Miss McCoy and Miss Forth, missionaries, volunteered as nurses. The whole native population sought protection behind the American lines. As soon as the land forces were stationed, the Philadelphia opened fire by throwing a shell into the outskirts of Apia. The Royalist followed with 6-inch shells, and the Porpoise went down the coast a couple of miles and bombarded the village of Vaiusu, where large parties of rebels were supposed to be. The church was smashed by a shell, and the house of the manager of the German plantation was damaged. All the outskirts of Apia were shelled from the harbor, about seventy shells being fired before dark, when the firing ceased. A shell from the Philadelphia which was sighted for 2,500 yards, unfortunately exploded after it had gone only 1,100 yards. It knocked over an outbuilding of the American Consulate, and damaged the veranda of the main building. One of the sailors was wounded in the leg.

THREE BRITISH SAILORS KILLED.

About dusk the rebels made an attack on the British at the Tivoli Hotel. Their fire was returned, but it is not known how many were killed. About 2:30 a. m. the natives made a rush on the guard at the Tivoli. Three British sailors were killed and one wounded. The native loss is unknown. At the request of the British a Maxim gun was sent from the Philadelphia to the British consulate, and with it some men to work it. The next day a body of three hundred Malietoans had their rifles returned to them from the Porpoise and rendered good service in clearing the brush. The rebel village of Vaiaala was burned in order to prevent the close approach to the consulate.

The German warship Falke attempted to leave port on a secret mission, when Admiral Kauts ordered her captain to stay where he was and seemed to prove it, as unlimited firing has been

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be ready to afford help to his countrymen. The Falke remained.
During Thursday matters quieted. About dusk the Americans fired on a body of Mataafans, but no one was killed.
Early Friday morning two hundred rebels rushed up to within thirty yards of the consulate. The sallors behaved splendidly and the natives were repulsed. One American sallor was killed and one British sallor was shot in both legs. Major-General Cutliffe, of the British Army assisted in directing operations at assisted in directing operations at consulate.

There is intense feeling against the Germans and everything points to German teaching. One Marquardt, who had been drilling the natives, has been arrested. He was sent on board the Falke under pledge of the German commander that he will not be allowed to land. A halfthat he will not be allowed to land. A half-caste named Taylor has been arrested as a spy, and is in irons on the Porpoise. H. J. Moors, an American, is confined to his store under sus-picion of being a Mataafa sympathizer. Saturday and Sunday were quiet. The Tivoli Hotel has been mined in case it be-comes necessary to blow it up, and two German lights from the shore is the signal to shell it. On Sunday a body of native foreigners came

THE FALKE OBEYS KAUTZ'S ORDERS.

For several days the German warship Falke persistently kept in the way so as to interfere ! with the fire of the British ships. Finally Admiral Kautz compelled her to move inside the

The Associated Press correspondent had an interview with Admiral Kautz yesterday. He spoke quite freely on the situation, and conman Consul-General issuing his counter-proclasiders he has been grossly insulted by the Ger-Berlin Treaty, which he is instructed by his were found the next day, but no bodies as their provision whatever for a provisional govern ment. His instructions are to carry out the treaty in accordance with the views of a majority of the consular reports. The Admiral is very wroth with the German Consul and blames him entirely for the present attitude of the rebels, as the natives were obeying his command to retire to their homes when the German resolutions are always as a second of the resolution. proclamation was issued. At the meeting of the consuls and senior naval officers on the flagship the Admiral explained his position. Under the treaty, he said, there could be no provisional government, and the agreement under which it had been recognized under peculiar and trying circumstances for the protection of life and property, was just as provisional as the government itself. He had to stand by the Supreme Court, and he hoped that a plan of action would be decided upon for restoring peace to the islands without the intervention of an armed force. proclamation was issued. At the meeting

of an armed force.

The British and American consuls and naval officers agreed with the Admiral.

CONSUL ROSE STUBBORN.

The German Consul said that, having accepted the Provisional Government, he could not recede from that position under any circum-Berlin. Later on, after the meeting, Rose sent his views in writing to the Admiral, and stated that German warships could only act if German property or life were to be protected against danger or in the case of the Supreme Court issuing warrants for arrest against individuals. On no other ground could German would be no military interference by Germany He also protested against the issue of the proclamation by Admiral Kautz pending in structions from the treaty Powers, also agains the return to Apia of the deported Malletoans, which, he said, was a menace to the peace of Samoa, and he reminded the Admiral that the Samoa, and he reminded the Admiral that the Falke had made no promise to help, according to the Admiral's proclamation. He was afraid that the Admiral would do harm by its issue and that already people were afraid of the rebels around Apla. The Admiral replied that he must be governed in his actions by a continuation of his duty, and not by his fears; that in his proclamation he meant exactly what he said, and was not speaking flippantly, and what he had excelsimed by would do.

said, and was not speaking flippantly, and what he had proclaimed he would do.

The fact that with all his correspondence and protests to the Admiral, the German Consul did not consider it necessary to forward a copy of his counter-proclamation to the Admiral had not increased the good feeling between the Admiral and the Consul. Never before by any official had the Admiral been treated in such an uncourteous and insulting manner.

MALIETOA CROWNED KING. On March 23 King Tanumafili Malietoa was crowned King of Samoa at Mulinuu. The ceremony was attended by United States and British representatives. A procession marched through Apia headed by the band of the Philadelphia. The German officials were conspicuous by their absence.

AN OFFICER'S STORY OF THE FIGHTING. STATEMENTS THAT PUT THE GERMANS IN A BAD LIGHT.

San Francisco, April 7 (Special).-A letter received here from an officer of the Philadelphia dated Apia, March 24, throws a strong light on the devices by which the Germans aided Mataafa and caused bloodshed. After reviewing the outbreak of hostilities the writer comes down to Tuesday afternoon, March 14, and says:

"During the afternoon the Philadelphia sent a few shells over the cocoanut trees that line the beach into the rebel camp east of the American Consulate, where large bodies of rebeis were congregating, and soon dispersed them. It was asserted without contradiction that ammunition had been sent ashore to the rebeis from the German gunboat Falke, and subsequent events

times being very lively. It being a crime under the terms of the Berlin Treaty laws to furnish arms and ammunition to the natives, they would fact that empty shells of German manufacture, and of the same kind as those used by the Falke, have been found on the battle-ground, almost proves the complicity of the Germans.

"It is also a curious fact that after the first day's shelling by the ships Mataafa's men always rushed to the water-front and took positions in the rear of the German Consulate line of fire. Another fact that needs no corrobolish bluejackets, a little squad of whom stood off three times their number. Daylight of Tuesday revealed the fact that ladders had been placed in the backyard and convenient openings made in the fences. The owner is now a prisoner in his own building and is liable to be for "During the whole of the night firing was

continued, and just after midnight the natives made a rush down the alley by the Tivoli, but were nobly repulsed. A large body of rebels, estimated at three hundred, attacked the American Consulate, guarded by Lieutenant Perkins, of the United States Marines, and a severe and long-continued battle was fought, which rehide their casualties. It was in this fight that Private Holloway lost his life. Let it never be forgotten that the stand made by these brave marines should be kept green in the memory of our people, as, against overwhelming odds, they stood their ground and held their position, and finally beat off the enemy-not a brave band of open fighters, but a mob of cut-threats, who sneak on their belies in the bush with their heads and bodies covered with leaves, making "Nine bodies mangled by shell and shrapnel

were taken into the Catholic Church on Tues-day morning, but no one will eyer know the total casualties of the rebels. This war will es are not sufficient to make a movement the rebels, who are constantly being furnished the rebels, who are constantly below the with ammunition and supplies from a source known to everybody. Mataafa would surrender but for the influence yielded by thirteen subchiefs, who are encouraged by the Germans, the German consul acting most openly in his sympathy. Had he not issued his foolish proclassympathy. Had he not issued his foolish proclassympathy. sympathy. Had he not issued his foolish procla-mation Mataafa would have laid down his arms, as he had expressed great friendship for the United States Government, and wanted to stand by the final decision of the Powers in regard to the ruling of the Chief Justice, and, in fact, has

by the final decision of the Powers in regactive the ruling of the Chief Justice, and, in fact, has several times expressed a wish to see the American flag flying over the Samoan Islands.

"Careful inquiry instituted by the writer among the people of all nationalities in Apla reveals the fact that with the exception of a few hot-headed Germans over four-fifths of the people would hall the raising of the Stars and Stripes, and secretly a majority of the German merchants and planters would also, although for political reasons they will not say so openly. "Sunday and Monday the rebels were quiet. The only trouble was when a German lieutenant attempted to force his way past the American bluejacket who was on post. The sentry demanded to see his pass, when the German insolently said that he was an officer and did not need a pass, and followed it up with attempting to crowd the sentry to one side in a menacing manner. Jackie promptly put him hors de ing to crowd the sentry to one side in a menac-ing manner. Jackie promptly put him hors de combat with a well-directed blow from his fist, and when the discomfted and crestfallen lieu-tenant limped grumbingly away. Jackie said: "Tell your friends that you met an American." The lieutenant has not been seen ashore since."

KAUTZ'S ACTION APPROVED. SENTIMENT IN WASHINGTON SUSTAINS THE ADMIRAL IN HIS COURSE AT APIA.

Washington, April 7.—The officials of the State and Navy departments were deeply interested in the details of the rising in Samoa given in the press dispatches. Nothing of an official character has been received by them or by the British and German embassies. In this state of affairs the officials were not prepared to express any opinion as to the merits of the actions of the respective parties in Samoa for publication. It may be noted that in carrying out the wiehes of the American and British officials at Apia, leaving the Germans out of the calculation, Admiral Kautz has taken direct issue with the contention of the German Government that the maority shall not control, but the best opinion here is that as the Admiral acted to meet an emergency threatening life and property, and also in the direction of a strict enforcement of the terms of the Berlin Treaty, his attitude must be held to be unexceptionable. At any rate, it is believed that, regardless of the negotiations now going on between Washington, London and Berlin, Admiral Kautz's vigorous action is likely to clear the way for the action of the proposed Commission by practically restoring the status

The State Department has not yet been informed of the selection of either the German or British members of the Samoan Commission. It can be said positively that it is the present intention to have each of the nations repre-

be ready to afford help to his countrymen. The indulged in by the rebels, and still continues, at sented by only one Commissioner. It is possible, and even probable, that this Commissioner may be allowed to have an assistant or secretary but there will be only one principal in

> WANT AN ARMED VESSEL AT SAMOA. CONTRACTORS FOR WHARF AND COAL SHEDS MAY NEED PROTECTION. San Francisco, April 7-It is reported that the

> collier Scindia, which accompanied the Iowa around the Horn, is to be sent to Pago Pago Harber, of erecting a wharf and coaling sheds there for has recently chartered the British iron ship Cardi gan Castle to take some twelve hundred tons of material to Samos, and forty skilled mechanics are Abarenda is to be dispatched from the East with steel piling for the wharf, but may not arrive for some time. In view of the possibility of trouble with natives, it is thought that the quick-firing guns of the Scindia may be of use in protecting the

THE KAISER PLEASED. AMBASSADOR WHITE DISCUSSES SAMOA

WITH THE GERMAN EMPEROR. Berlin, April 7 -- Emperor William received the United States Ambassador, Andrew D. White,

in audience yesterday. The interview lasted an hour and a half, and all important pending questions affecting the interests of the United States and Germany were discussed. His Majesty expressed great satisfaction at the conciliatory and friendly attitude of the United States toward Germany, and also at the fact that Dr. Solf, the new German president of the Municipal Council at Apia, had met

States and had been presented to President Mc

Kinley. His Majesty thanked the Ambassador for his efforts to bring about a satisfactory arrangement of the Samoan affair. It is rumored that Dr. O. Schmidt-Leds. German Minister at Caracas, Venezuela, and Dr. Stuebel, the German Consul-General at Shanghai, have been appointed Samoan Commissioners for Germany. Both Dr. Schmidt-Leda and Dr. Stuebel were formerly in Samoa. The correspondent here of The Associated Press learns from the Foreign Office that Germany will not appoint Dr. Schmidt-Leda to be a Commissioner

for Germany if the authorities at Washington object to his appointment. The Munich "Allgemeine Zeitung" in an alleged interview with Mr. White quotes him as saying he does not know why Great Britain condemns the attitude of the German represen-tatives at Samoa, as assuring the interviewer that the British tingoes will not control the

tatives at Samoa, as assumed that the British jingoes will not control the American policy, and as stating his ideal to be the "fraternization of the three akin nations." He is then said to have added.

But just now certain influences in England forbid the realization of this desire. I am hopeful, however, that Germany will eventually

forbid the realization of the following the following the eventually overcome the evil influences.

In conclusion, Mr. White is quoted as saying the American Government is strongly inclined to live in harmony with Germany.

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